

# 03. INTRODUCTION



Over the past years, violence against lesbians has increased and has taken pernicious forms, ranging from cyber-harassment to “corrective rapes” and femicides. The situation is further complicated by the rise of nationalist, far-right and anti-gender movements and by the Covid-19 pandemic. Such exposure to attacks and backlash against women and LGBTI people, in addition to the domestic violence these groups face, makes it crucial that lesbians’ needs and interests are adequately and explicitly addressed, so as to avoid the pattern of lesbophobia ‘falling through the cracks’ of policies and measures combating ‘solely’ gender-based violence or addressing ‘just’ hate crime against LGBTI persons.

Lesbophobia is a specific form of bias that encompasses misogyny, sexism and stigma on non-conforming sexual orientation. In particular, hate against lesbians is structured around three entrenched social norms: 1) lesbians with their sexual orientation and gender expression refute the social expectations and stereotypes concerning ‘male’ and ‘female’ gender roles, 2) lesbians disrupt the expectations that women are at the ‘disposal’ of men, especially because women’s sexuality is widely objectified, and 3) they compel society to confront widespread taboos related to female sexuality and to non-heterosexual sexual orientations. These biases and the resulting violence have an impact not only on the victims but also on society as a whole.

At the same time, important gaps exist at national level that seriously hinder the prevention and the investigation of lesbophobia-related crimes, as well as the effective support of its victims. Addressing lesbophobia is further complicated by the invisibility of lesbians and their lives and experiences, which implies that measures to address gender-based violence are constructed without taking account of the specific needs of non-heterosexual women. Similarly, hate crime legislation is often blind to the gendered dimension of crimes perpetrated against women in the LGBTI community.

For all those reasons, the present paper builds from the experiences, feedback and cases reported to EL\*C by the lesbian movement in Europe and Central Asia to elucidate the forms and characteristics of lesbophobic violence (Part 04), it offers an analysis of how lesbophobia manifests itself in the public space, online and in the family (Part 05) and it focuses on the impact of lesbophobic violence, hate speech and hate crimes on the individual as well as on society (Part 06). Part 07 focuses on the gaps in legislation, policy and public actions that need to be addressed in order to effectively address lesbophobia.

Finally, gender-based violence and hate crime are not exceptional, they are rather systematic parts of our society. Lesbophobia taps into sexist and heteronormative systems of oppression and is, therefore, a constant presence in our society. Lesbian organisations in Europe and Central Asia have been confronted with this phenomenon for years and have been working to fight it, to develop networks of solidarity, resilience and resistance while being confronted with a structural lack of funding, resources and energy. The last chapter of the present report offers **Recommendations** for public authorities. It is important that public bodies and policymakers step up and start to directly address lesbophobia in the development, drafting and implementation of legislations aimed at fighting gender-based violence and at eliminating hate crime.

## 04. A CONTINUUM OF VIOLENCE AGAINST LESBIANS

For lesbians it is not only their sexual orientation but also their gender that makes them more vulnerable to different kinds of violence and harassment. In the 2019 FRA LGBTI Survey, 29% lesbian women and 46% bisexual women who declared to have been victims of harassment, indicated also that they were harassed because of their sex/gender, in addition to or as part of the harassment linked to their sexual orientation. In the case of gay men, only 2% of the respondents indicate their sex/gender as an additional motive for the harassment[3]. According to several studies[4], including the Violence Against Women Survey by FRA, non-heterosexual women report higher rates of violence than heterosexual women in any of the forms of violence investigated[5].

Additionally, over recent years, lesbophobic violence is on the increase, as reported by data coming from organisations working on assisting victims of gender-based violence and of hate crime against LGBTI people at national level. In 2019, the French organisation SOS Homophobie, which provides help and support to LGBTI victims of violence, reported that it received 365 cases of lesbophobic violence in France with an increase of 40% as compared with the previous year. This number has been confirmed with 300 cases reported in 2020[6]. In both reports, this increase is explained by the changed political and social context of France following the spreading of the #metoo and #balanceonporc movements, which revealed the extent of violence/harassment against women and made visible a phenomenon that until then had remained obscured within public discourse.



The rise in awareness has also encouraged victims of lesbophobia to share their experiences, as well as to denounce such violence and demand for help and support.

In Italy, Medus3, an observatory on lesbophobic violence launched by a coalition of lesbian organisations, is monitoring lesbophobic violence reported by the media. Preliminary results show that between 2011-2021, around 100 cases of lesbophobic violence were reported by Italian media, even if, as often was the case, the nature of the lesbophobic acts was misrepresented. In particular, the fact that the victim was a lesbian, bisexual or non-heterosexual woman is often not mentioned when the violence is described as gender-based violence. Often, the violence is reported as general 'homophobia'[7] when the case is described as a hate crime, which also serves to obscure the scale of lesbophobic hate crimes. These figures are of course partial and cannot be extrapolated to other social and national contexts. However, they give an indication and show a worrying trend, considering that in general, very few cases of hate crime/hate speech and gender-based violence are reported to the authorities and/or to civil society organisations and that far fewer still of those cases then go on to be reported by the media.

### **Misogyny plays a fundamental role in lesbophobic violence**

While lesbians are affected by social stigma and hate directed against the LGBTI community, they are also targeted by crimes aiming to 'punish' them specifically as women who do not respond to societal expectations of women, gender roles and standards of femininity. Lesbian organisations report that, in the majority of cases, lesbophobic violence is perpetrated by men triggered by having their interest refused by non-heterosexual women; by the women putting an end to a heterosexual relationship or being unavailable to their needs and desires.

Furthermore, lesbians, especially when out in public as a couple, are objects of sexualized forms of attentions by men, aimed at replicating the image of non-heterosexual women spread by the mainstream pornographic industry. This unwanted attention can degenerate into violent aggressions when the women react to the catcalling and refuse to satisfy men's fantasies.

In other countries, like for example in Croatia, a lesbian woman was violently aggressed in front of a Zagreb nightclub after having refused a man's interest and disclosing that she was a lesbian. The case has been the subject of a judgment of the European Court of Human Rights in *Sabalic v. Croatia*[8].

This violence can escalate into especially dramatic forms. In Italy, Elisa Pomarelli, a young lesbian, was attacked and brutally murdered in 2019 by a man after she refused to start a relationship with him[9]. In 2021, in Belgium, a lesbian couple were killed by the ex-husband of one of the two. He then committed suicide [10].

As reported by several lesbian organisations, many cases of violence in public spaces take place after lesbian couples refuse to kiss in front of some groups of men. During the last few years, two of those aggressions have attracted media attention: the case of the lesbian couple assaulted in Amsterdam, Netherlands [11] and on a London night bus, in the UK[12].

This is confirmed by data in the **FRA LGBTI Survey 2019** as well as in the **FRA Survey on Violence Against Women**. In the LGBTI Survey around 40% of the cases of violence against lesbian and bisexual women were a sexual attack or included a sexual element, while this rate is around 23% for gay and bisexual men[13]. In the Survey on Violence Against Women, 78% of non-heterosexual women reported cases of sexual harassment compared to 55% of heterosexual women[14]

### **Lesbophobia is aimed at “correcting” women with non-conforming sexual orientation**

A crucial aspect of lesbophobia is the widespread belief that women who do not engage in sexual relationships with men are ‘sick’, ‘abnormal’ and should be ‘corrected’. There is a social stigma attached to non-conforming sexual orientations that plays into this social bias but such ideas are themselves underpinned by misogynistic beliefs concerning the sexuality of women and in particular the fallacy that without a man, women cannot possibly be considered to have an ‘healthy’ sexual life.

This complex entanglement of beliefs is often at the basis of sexual harassment and violence toward lesbians that, in the worst cases, takes the form of so-called ‘corrective’ rape and can escalate into murders. Corrective rape, is defined as a hate crime in which one or more people are raped because of their perceived sexual orientation or gender identity. The term corrective rape was coined in South Africa after well-known cases of corrective rapes of lesbian women such as Eudy Simelane (who was also murdered in the same attack) and Zoliswa Nkonyana became public.

In France, for the first time in 2019, the rape of a young lesbian woman with the explicit motive of 'correcting' and punishing her sexual orientation was considered by a criminal court as having specific lesbophobic motivation[15].

In recent years as reported to EL\*C, the French group **Les Dégommeuses** has assisted multiple victims of corrective rape, enlightening, in particular, the fact that all have migrant backgrounds and a masculine gender expression that make them easily identifiable in public as lesbians.

In 2016-2017, the monitoring programme of the **Russian LGBT Network** documented several cases of corrective rape whose survivors were usually lesbian, bisexual or trans women. However, none of the survivors wanted to share details or give consent for their stories to be used in public reports[16]. In 2019 alone, the Russian LGBT Network assisted seven LBQ women from Chechnya; four women had been subjected to sexualized violence and blackmailing from their male relatives and extended family[17]. Furthermore, the **Queer Women of North Caucasus Support Group Initiative (QWNC)** conducted a study in 2018 on attacks against LBT women, for which it collected interviews of the violence experienced by non-heterosexual women. The report highlighted that "*common and actively implemented punishments or ways of "correcting" a person's sexual orientation or gender identity take the form of physical, psychological, and sexual violence and harassment*"[18].

# 05. LESBOPHOBIC VIOLENCE IS EVERYWHERE

## POLICING BEHAVIOURS IN THE PUBLIC SPACE



Within the continuum of violence against lesbians described above, certain spaces represent specific risks; for example, public spaces. Certain forms of violence and attacks are triggered by the appearance of lesbians and motivated by an intention to 'police' the behaviours and attitudes of women in public spaces, because of the apparent threat to stereotyped images of women and standards of femininity that lesbians pose.

In 2019, a 15-year-old lesbian was violently attacked in Turin in Italy by a man because she was wearing clothes judged too 'masculine'. After the attack the man continued to insult her and told her that "women should not wear men's clothes" [19]. In Bulgaria, the lesbian organisation Bilitis Foundation has assisted the victims of a group of 14-15-year-old students from Plovdiv that organised and carried out a violent attack on other youth because of their perceived homosexual orientation. The boys' goal was to "clean up the city garden" in Plovdiv of boys and girls with the 'wrong' sexual orientation.

The young people who were attacked were mostly girls in their teenage years. Several girls were viciously harassed, insulted, thrown eggs at, spat on, and finally beaten because of their appearance[20]. In Belgium, a pansexual woman was attacked in the Bruxelles city centre after the aggressors saw her kissing another woman. They then insulted her, calling her a “dirty dyke” and violently beat her [21].

The association **Counselling for Lesbians** in Serbia mentions that 14% of all SOS calls are related to violence in public places. However, the NGO knows that most lesbians usually normalise this violence and do not denounce it at all. Additionally, they noticed an increase of violence around special events like the Pride parade and after Covid-19 lockdowns.

### **Lesbians in the public space during COVID-19**

The issue with navigating public spaces has worsened during the COVID-19 pandemic, due to the presence of factors that can be associated with feelings of environmental insecurity for women (e.g. the emptiness of streets), with almost one in six respondents to **EL\*C's Survey on the COVID-19 impact on lesbian communities**[22] reporting a feeling of insecurity in the public space because of their sexual orientation and one in four respondents reporting having experienced police abuse, state policy restrictions, and/or restrictions in their personal freedom during the pandemic.

A significantly higher prevalence of abuse by state authorities was found in case of respondents who were trans, non-binary or otherwise did not identify as cisgender women (31% vs 22% of cisgender respondents). Although not statistically significant because of the reduced number of answers, the results suggest a higher risk of encountering state violence for respondents who are persons of colour or belong to an ethnic minority, are asylum seekers or have refugee status (31% vs 24% of the other respondents)[23].

# LESBOPHOBIA IN ONLINE SPACES

In the 2019 FRA LGBTI Survey, one in every four respondents to the survey who identified as a lesbian or a bisexual woman indicated suffering verbal harassment over the past 5 years due to being part of the LGBTI community. Furthermore, lesbian activists and groups contacted by EL\*C reported the incidence of hate speech, especially in online spaces. Patriarchal and misogynistic behaviours have been transferred online, resulting in lesbophobic and sexist insults in comments, posts or tweets. In addition, the word 'lesbian', in several EU languages, is often disadvantaged in online searches and social media by being linked to pornographic content. This alone has a severe impact on the visibility of those organisations, activities and events working positively in spaces that use the word 'lesbian' in their self-descriptions. In several European and Central Asian countries, the word 'lesbian' infringes the social media ethics rules, as discovered by the EL\*C team in 2019 while trying to set up a username on Facebook [24].

Online hate speech against lesbians has serious consequences in real life. Sometimes it is part of a wider pattern of harassment and abuse in the lives of lesbians, for example, in the case of neighbours targeting a lesbian in her home and online. Women who are visible in public spheres, such as politicians, journalists and social media influencers, suffer from heightened exposure to online gender-based violence. However, this situation is further intensified if the woman is also publicly visible for her sexual orientation, exposing her to specific attacks that are not only sexist but that specifically target her sexual orientation and gender expression. Being subject to such waves of lesbophobic violence not only has an impact on mental and physical health, but also greatly limits their potential to freely express themselves on online platforms and spaces.

National data from Austria and Ireland show that lesbians are more exposed to online hate speech than heterosexual women (28% of lesbians in comparison to 10% of straight women)[25]. The NGO Labrisz reported to EL\*C several cases in Hungary of anonymous online verbal abuse because of gender-related issues, including threats of physical and sexual violence while the organisation Clube Safo reported a rise in online hate speech and harassment in Portugal, which is linked to an increase in online presence due to COVID-19 restrictions and related lockdown.

# FAMILY AS AN UNSAFE HAVEN FOR LESBIANS

One of the consequences of the complex entanglement between gender-based violence and stigma related to sexual orientation is that an analysis of violence against lesbians also has to take into account violence perpetrated specifically within the family and in the domestic sphere. Throughout Europe and Central Asia, those spaces are still identified as powerful sites of violence against lesbians.

So-called 'honour crimes' are taking place in Europe and Central Asia and they typically take the form of violence against women, including murder, motivated and justified because the woman has 'dishonoured' the male members of her family. Standards of 'honour' almost always include norms of sexual purity: women who have sex, or are believed to have sex with men before or outside of marriage are seen as having violated foundational norms. There are other ways, however, in which women can endanger the status and reputation of parents, brothers or husbands.

Dressing or walking the wrong way or having non-heterosexual love relationships can infringe gendered expectations for how women should behave and causing such 'punishments' from the family as sexual abuse, physical violence and sequestrations and 'honour' killing. Because of social expectations of women's traditional roles and society's failure to provide equality for women that enables full economic, social and legal independence, lesbians may be more likely to depend on their biological families and/or to find themselves obliged and socially conditioned to marry a man.

The organisation QWNC - Queer Women of the North Caucasus reports that 7 out of 8 forced marriages in that region were initiated after the woman came out or was outed, and parents or brothers made a decision regarding the woman's marriage. In such cases, the woman's opinion was not taken into account, and often caused a wave of violence. As reported by the organisation, "forced marriage condemns a woman not only to an unhappy life, but also to sexual and often severe physical abuse, which will continue in her new family. However, the humiliation and abuse a woman goes through somewhat changes its shape in marriage, especially if the spouse finds out about his wife's sexual orientation. (...) She could face "honour killings", being sent back to the parental family, beatings, sexual violence, a total ban on seeing her children and participating in their upbringing, systematic rape, and anything the husband's imagination can come up with.[26]"

### **Lesbophobia makes human rights violations even more invisible**

Because of the general invisibility of lesbians and bisexual women, human rights violations against LGBTI people tend to focus specifically on gay/bisexual men. Furthermore, in especially difficult cultural contexts, the limited access to public spaces for women determines that their struggle against state-sponsored lesbophobia, oppressive family systems or particularly lesbophobic social context often stays in the shadows[27].

This is the case in certain countries of Europe and Central Asia, for example the North Caucasus region of the Russian Federation, where human rights violations committed against gay men have obtained wide political and media attention[28]. Lesbian groups from that area report that the situation for LBT women is particularly difficult resulting in exposure to violence, rapes, threats, forced marriage when they are outed to the family. This violence is often perpetrated with impunity, and often even with the assistance of law enforcement[29]. Given the fact that women in general are subject to high rates of violence (including female genital mutilation in certain areas) and are controlled entirely by their male family members, LBTI women are often unable to leave the family home or the region without their family's authorization[30]

Furthermore, transgressing the boundaries of gender and/or sexual orientation and bringing 'shame' onto families and communities, often implies destructive and painful relationships with biological family members (parents, siblings, the grandparents, aunts and uncles) resulting in different forms of violence and harassment towards lesbians, especially towards younger ones, and also towards children within lesbian rainbow families.

According to the NGO *Counselling for Lesbians*, in Serbia many lesbians still have psychological trauma about the violence they survived in their primary family. Young lesbians who contacted the association regarding this topic did it either when the situation was urgent (when immediately threatened with homelessness) or a long time after the violence happened.

In Italy, two cases of violence perpetrated in the family have attracted media attention in the last year. In September 2020, a young woman was killed in a road accident caused by her brother. Just after the accident, the partner of the victim (present during the accident and who is a trans man) was assaulted by the brother. The latter declared that he did not want to kill his sister but needed to teach her a lesson because she had been "infected" by her trans partner[31].

**Lesbophobia: an intersectional form of violence**

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Another young lesbian was subject, after the parents discovered her sexual orientation, to years of abuse, including physical and sexual violence perpetrated by her father. As a result of this situation, she has suffered serious mental health issues and was able to denounce her family only after managing to escape[32].

In France, a study from INED, the national institute of demographic studies, published in April 2020 focused on violence inside the family found that lesbian and bisexual girls were the two groups most affected by all types of intra-family violence (psychological, physical and sexual violence) compared to heterosexual girls and homosexual and bisexual boys. Young lesbians have reported to have been victim of subject to psychological violence three times more than gay and bisexual boys and straight girls. They reported physical violence two times more than gay and bisexual boys and three times more than straight girls. They are also more frequently victims of sexual violence with an incidence of around 10% of young lesbians against around 5% of gay and bisexual boys, 2.5% of straight girls and 0.5% of straight boys. Such startling figures were explained by the researcher: *“the social control over girls mixed with the process of making them inferior and the social obligation to heterosexuality join together and contribute to make the family as an heterosexist environment. This is translated in certain families by violence that can put in danger the youth concerned, especially in the case of young lesbian and bisexual girls”*[33].

## THE SPECIFICITIES OF INTIMATE PARTNER VIOLENCE FOR LESBIANS

Finally, lesbians may also struggle with intimate partner violence. Same-sex couple dynamics do not rest on heteronormative gender scripts or stereotypes but can be influenced by distorted and patriarchal images of romantic relationships, jealousy and autonomy within the couple, and can also include risk factors such as minority stress, lesbophobia, stigma and discrimination. While existing social support systems are fundamental to providing a vital response to the phenomenon of violence against women in heterosexual couples, they risk excluding lesbians struggling with intimate partner violence or can be inadequate in response to specific needs which lie at the intersection of issues related to gender and sexual orientation.

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As reported to EL\*C by lesbian-led NGOs working on this issue, specific difficulties when assisting lesbian victims of intimate partner violence include personal barriers related to the victims' perception of themselves, of the abuse and the support system, as well as structural and cultural barriers related to the way services are designed and delivered. The **Italian** lesbian NGO ALFI, that organises 'W4W', a helpline for lesbians victims of violence, reported that one of the main issues is the victims often do not recognise the violence they are subject to and it is therefore challenging to reach those most in need of support. Lesbians may also be less likely to report intimate partner violence because of societal stigma and discrimination that portrays same-sex relationships as being 'dysfunctional' and 'immoral' or because they fear the consequences of coming out in an environment perceived as lesbophobic. More masculine survivors of abuse may not be taken seriously, by law enforcement or by service providers.

In addition, legislation on domestic violence may not include same-sex partners in their scope, especially when such relationships remain unrecognised in family law. In **Serbia**, for example, violence in a lesbian relationship is only condemned as disorderly conduct. This situation also prevents the collection of official data about violence in same-sex relationship. The **Bilitis Foundation** also reported to EL\*C that the **Sofia Regional Court** refused to grant a protection order requested by a woman in a same-sex relationship under the legislation on protection against domestic violence because, according to the Court, the Bulgarian legal system only recognizes the union between a man and a woman as a family. Finally, in many countries in Europe and Central Asia there are still no educational programmes for youth on how to build healthy relationships, and even when they do exist, lesbian relationships are markedly absent from the curriculum.

# 06. THE DIRE COSTS OF LESBOPHOBIA

Lesbophobia is particularly violent because it is a reminder of the social interdiction against women to live their lives without the close presence of a man. The pervasiveness of lesbophobia results in and maintains a high level of fear for lesbians, which has dramatic impacts on their physical and mental health. The burden of such fear changes the behaviour of lesbians in society and is used as an intimidation tactic in the political arena to the point of posing a major problem for democratic debate.

## PHYSICAL AND MENTAL HEALTH CONSEQUENCES

Heightened exposure to violence, harassment and hate severely impacts the physical and mental well-being of lesbians. The data collected in the EL\*C Report on “The State of lesbian organising and the lived realities of lesbians in the EU and the accession countries” show that lesbians face significant mental health inequalities. Most notably, European lesbians are at an increased risk of several forms of suicide (41% of suicidal ideation and 17% of suicide attempts) compared to heterosexual women (17% of suicidal ideation and 4% of suicide attempts)[34].



Furthermore, lesbians navigate certain environments, especially the public space, aware of the risks of making their sexual orientation visible and may, as a result, feel coerced into concealing their identity. This is reported consistently by lesbian groups working in the field and confirmed by data. The FRA 2019 EU LGBTI Survey shows that one in two lesbian women do not show affection for their partner in public (46%) and avoid public places for fear of violence or harassment (49%) [35]. The 2017 regional study conducted by the World Bank and ERA - LGBTI Equal Rights Association for Western Balkans and Turkey showed that 52% of lesbians surveyed had been personally harassed by someone or a group for any reason; on average, 63% of lesbians in the region (Slovenia, Croatia, Serbia, Bosnia and Herzegovina, Macedonia, Kosovo, Montenegro, Albania) avoided certain places or locations based on their fear of being assaulted, threatened or harassed because of their sexual orientation [36].

## THE IMPACT ON DEMOCRACY AND SOCIETY

Hate crimes and hate speech are effective ways of censoring certain voices, limiting their freedom of expression and hampering democratic debate. For this reason, they are used, in different countries and political contexts, as a political tactic to censor and silence the voices of women, LGBTI people and other minorities. For this reason, lesbian-led organisations, as well as politicians and journalists who are lesbian, bisexual or queer, find themselves subject to these particularly vicious attacks.

The impact and political use made of hate crime and hate speeches is particularly worrying if we consider the current political landscape in many countries in Europe and Central Asia. In recent years, there has been a significant rise in 'anti-gender movements' across countries in the European and Central Asian regions. The anti-gender movement is organised by various religious, political and conservative groups to dismantle decades of progress in women's rights, gender equality, and the rights of LGBTIQ+ persons. In this political context, lesbian-led organisations and visible activists belonging to both the feminist and LGBTI struggles, constitute the easiest target and find themselves at the centre of violent attacks.

Additionally, the current crisis caused by the COVID-19 pandemic has been exploited to spread political attacks and discourses targeting women, LGBTI people and other minorities. In the EL\*C Survey on the COVID-19 impact on lesbian communities, more than half of the over 100 lesbian-led groups that responded to the survey reported the spread of hateful rhetoric, during the COVID-19 crisis, by political parties, politicians and the media.

More than one third (37%) of the respondents to the individuals' survey declared that political parties or the media made lesbophobic statements. A similar question was also asked in the survey section dedicated to groups and NGOs, of which 48% declared that political parties, religious groups or the media had made lesbophobic statements[37].

## A worrying trend of lesbophobic attacks against lesbian activists

In March 2021, EL\*C submitted to the UN Independent Expert on Sexual Orientation and Gender Identity a report detailing the cases of violent disruption of public gathering, demonstrations, and attacks against activists in countries such as Ukraine, Kyrgyzstan, Macedonia, Kazakhstan and France[38]. Sadly, the list of cases must be extended because in the past months further attacks against lesbian activists, especially among EL\*C members have been reported.

- In Hungary, the lesbian NGO **Labrys** published an educational book for children "Fairyland is for everyone" containing fairy tales aimed at explaining the existence of different kinds of families. A politician from the far-right fringe Our Homeland party tore the book apart and shredded it at a press conference, referring to it as "homosexual propaganda" while bookshops selling the book were subject to attacks and violence. Following the attacks of the far-right groups and politicians, the government obliged the publisher to add a warning that its stories contained 'behaviour inconsistent with traditional gender roles'[39]. This act of lesbophobic violence is part of the Hungarian government's ongoing homophobic crusade to invisibilise and censor LGBTI people. On 15 June 2021, the Hungarian Parliament enacted the so-called "anti-propaganda law" aimed at banning the portrayal and mention of homosexuality and trans-identity to people under the age of eighteen[40]. The censorship of the book as well as the new propaganda law have been included in an infringement procedure launched by the European Commission in July 2021[41].
- In Spain, the lesbian journalist Irantzu Varela, and the magazine office for which she worked was attacked. The journalist was violently attacked multiple time, after having been called a "fucking lesbian" and a "whore". The magazine office was, in the same days, vandalized twice by members of a far-right political party [42].

- In **Kazakhstan**, in May 2021, Gulzada Serzhan and Zhanar Sekerbayeva, Board Members of EL\*C, were violently attacked by a group of around 30 men at a feminist gathering they had organised with **Feminita NGO**, during which gender equality was discussed. The group of men came to the venue with the intention of interrupting it. Among others, they filmed and harassed participants, chanted religious calls and homophobic slurs, beat Zhanar and attacked Gulzada, destroying her possessions. The police, who were called for help, sided with the aggressors and aggressively dragged both activists into a police car and illegally kept them in detention in the station of Abay, Shiymkent. Following this, around 100 men congregated in front of the police to protest against the lesbian activists. Incitements for rape, physical assaults and even murder were made. Crucially, the perpetrators were neither arrested nor detained. Following their arrest, Zhanar Sekerbayeva was informed that a criminal case would be initiated against her on the charge of “insulting a state official” (Article 378 of the Criminal Code of Kazakhstan). However, according to both human rights defenders, the criminal investigation against Zhanar has been dropped. The police opened an investigation for “hooliganism” following a complaint filed by Zhanar, but no investigation has as yet been opened against the perpetrators[43].
- In **Ukraine**, in May 2021, 20 members of the far-right group “Tradition and Order” tried to violently interrupt a workshop in Odessa in which Olena Shevchenko, chair of the EL\*C, was the organiser with the **NGO Insight**. At the same time, the headquarters of Insight NGO in Kyiv were invaded by members of the same far-right group while another workshop was being held in parallel. The attendees were finally brought to safety, although the police did not accept to take the complaint reports of either incident, claiming (in the case of Odessa) that nothing could be done against the attackers[44].
- In **Albania**, as from mid-June 2021, Xheni Karaj, EL\*C Board Member and leader of the LGBTI movement, has been subjected to numerous death and rape threats online. These followed her intervention defending the right for two mothers to register their teens and both be recognised as mothers. Xheni was interviewed on Albanian national TV, during which the journalist unleashed a homophobic rant. Xheni denounced the media’s role in fueling a climate of hatred towards her, especially on social media. She was subjected to numerous gruesome threats of sexual and violence, as well as murder[45].

- In France, an event hosting Alice Coffin in June 2021, Board Member of the EL\*C and well-known lesbian politician and activist, was interrupted in Rouen, France, by a group of men qualifying themselves as “The normals” by bursting on the scene and holding a sign that read “Don’t you like men, madame Coffin?”[46]. This episode is another in a long series of attacks (mostly online) that have taken place against her in France. Since her election in the Paris City Council in 2020 and the publication of her book, titled “Le Génie Lesbien”, she has been on the receiving end of waves of lesbophobic hate speech, hateful public statements by politicians and by public figures as well as cyber violence. These include numerous lesbophobic and misogynistic insults and worrying death and rape threats. The latter obliged her to suspend her Twitter account and were considered serious enough to justify her being granted police protection[47]. As a result of the negative media exposure, the Catholic University where she had been teaching for 8 years decided not to renew her contract as a professor, at the beginning of the academic year without advance notice[48].

### **Lesbophobic violence makes censorship and discrimination possible**

Targeting visible lesbians and lesbian organisations with continuous and organised hate crime and hate speeches, is not only a particularly efficient way in spreading hateful rhetoric, it is also a powerful political tactic used to limit and censor the voices of women, LGBTI people and other minorities. For this reason, these attacks are often associated and followed with other forms of censorship.

The examples mentioned above exemplify how the door opened by far-right rhetoric and acts of menace encourages governments and institutions to further discriminate. These oppressions often take the form of unfair termination of employment, limiting access to public spaces and platforms and even in legislation censoring and limiting the freedom of expression of women, LGBTI people and minorities. As detailed above, the situation in Hungary is particularly striking considering that the current “LGBTI propaganda law” promoted by the government followed widespread violence and censorship against the children’s book “Fairytale is for everyone” edited by the lesbian NGO Labrisz[49].

# 07. WHAT IS MISSING IN THE FIGHT AGAINST LESBOPHOBIA

## IDENTIFYING AND PREVENTING LESBOPHOBIA



Lesbophobia is a multifaceted phenomenon that concerns a community often marginalised and misrepresented. For this reason, key elements of prevention must be based on a striving civil society, able to take grassroots, community-based actions that raise awareness and effectively advocate for the improvement of prevention systems and support services offered by public authorities.

It is also fundamental that the phenomenon is brought into the public domain, it is researched appropriately and that data are made available clearly and widely. In this sense, vast improvement is possible, since the lesbian movement is severely underfunded and lesbophobia and, more generally, lesbians are still largely invisible in data collection and in research.

## Challenging the underfunding of the lesbian movement

EL\*C members consistently confirmed they experienced difficulties in accessing resources specifically dedicated to combating lesbophobia, supporting victims and raising awareness about the phenomenon. The difficulties they expressed are characteristic of the general and consistent underfunding of lesbian civil society organisation. Data included in a research conducted in 2019 by the private foundations **Astrea** and **MamaCash** show that lesbian groups in Europe and Central Asia have the smallest median annual budgets worldwide, at \$5,000. Nearly half (43%) of lesbian groups in Eastern Europe and Central Asia operate on even less than \$5,000 annually, and in Western Europe, over half (53%) work with less than \$5,000 per year. This is the lowest median annual budget globally[50].

This situation has dramatically worsened during the COVID-19 crisis as proven by **EL\*C's survey on the impact of the pandemic on lesbian communities and organisations**. Of the more than 143 LBQ organisations who responded to the EL\*C Survey, two-thirds (66%) of the organisations experienced either a decrease in funding or are uncertain about their financial future and 52% of them would not be able to cover their annual costs. This absence of funding negatively impacts the ability of organisations to be responsive to lesbophobia wherever it occurs in society, with 48% of lesbian-led organisations reporting the occurrence of lesbophobic statements in the public discourse (political parties, religious groups, medias), while more than half of the organisations (56%) were not able to react and counter these statements, due to a lack of resources and capacity.

## Working against the lack of research and creating data and statistics

In order to adequately respond to a multi-faceted phenomenon such as lesbophobia, it is necessary to understand its dynamics. Therefore, a first step is to expand the knowledge concerning lesbophobic violence as a recent phenomenon that is often underrepresented and misunderstood. In general, lesbian-led organisations and activists contacted by EL\*C consistently reported that official statistics and data collection efforts greatly underestimate the actual number and incidence of lesbophobic crimes.

Lesbians are widely underrepresented in research in any field[51]. A number of specific issues contribute to this phenomenon, particularly in the case of gender-based violence and domestic violence statistics. Firstly, in many countries legislation concerning hate crime does not include sex/gender and sexual orientation as a protected ground, meaning that official data concerning these cases simply cannot be collected. This includes statistics on violence against women where a lesbophobic motive may not be recognized by law enforcement authorities or is not represented in official reports. Even in cases where legislation does include sex/gender and sexual orientation as a protected grounds, the data gathering parameters might not be designed appropriately or the victim may not feel safe to report to law enforcement authorities or disclose her sexual orientation, even when it is relevant to the specific cases.

In this sense, the organisation **L-tour** reported to **EL\*C** that in **Belgium** official statistics on hate crime could be improved by applying a more disaggregated approach that distinguished between people in the LGBTI community and between the experience of straight women and the experience of non-heterosexual women.

## CREATING A PATH TO JUSTICE

The main obstacle towards effective access to justice for many victims of lesbophobic violence comes from legislative gaps that in many countries prevent lesbophobic motives to be considered an aggravating circumstance in cases of violent crime against women and LGBTI people.

For example, crimes clearly motivated by lesbophobia might not be subject to compulsory prosecution. **Bilitis Foundation** reported to **EL\*C** that this was the case for the violent aggression of a woman in **Bulgaria**, who was attacked and punched in the face by a stranger on the street immediately after he called her a "dirty faggot"[52]. In another case, **Bilitis Foundation** reported to **EL\*C** that the **Sofia Regional Court** refused to grant a protection order requested by a woman in a same-sex relationship under the legislation on protection against domestic violence because, according to the Court, the Bulgarian legal system only recognizes the union between a man and a woman as a family unit.

In cases where the legal system does not include lesbophobic bias as an aggravating circumstance, perpetrators can be tried under procedures that often entail reduced sentences. In 2020, the EL\*C together with a coalition of Italian lesbian organisations and activists denounced the outcome of an Italian case in which, due to the lack of a specific aggravating circumstance concerning bias related to gender and sexual orientation, the murder of a lesbian, killed by a man whose interest she had refused, was judged via a summary procedure and, therefore, resulted in a significantly reduced sentence for the murderer[53].

Finally, even when the legal framework does include the possibility to prosecute lesbophobic hate crimes, the actual investigation process might fail to recognize the nature of the crime. In 2021, the European Court of Human Rights in *Sabalić v. Croatia*[54] considered that Croatian authorities violated art. 3 (prohibition of inhuman and degrading treatment) and art. 14 (prohibition of discrimination) of the European Convention of Human Rights by inadequately responding to a lesbophobic attack against a woman who was violently assaulted after having refused the advances of a man and disclosed to him that she was a lesbian. The Court found in particular that the minor-offence proceedings against the applicant's aggressor had not addressed the hate-crime element of the offence and had resulted in a derisory fine.

## **HEALING AND SUPPORTING VICTIMS OF LESBOPHOBIC VIOLENCE**

Invisibility is particularly dangerous in the area of support for victims of lesbophobic violence, where a limited understanding of lesbophobia leads to shortcomings in the creation of public policies responsive to these forms of violence, as well as gaps in the training of law enforcement officers and support services for the victims. As a result, lesbian and non-heterosexual women show very low reporting rates. In the 2019 FRA LGBTI Survey, compared to the rest of the LGBTI population, lesbian and bisexual women have the lowest rates of reporting episodes of harassment and even of sexual and physical violence to any institutions. Numbers are particularly low where reporting rates to the police [55] are concerned.

The low reporting rates can be explained not only by fear of secondary victimization and fear of stigmatization but also to the fact that traumas, experiences of discrimination and a general feeling of insecurity in society result in many lesbians not wishing to be open about their sexual orientation within the public domain. Denouncing lesbophobic violence inevitably obliges the victim to come out to law enforcement authorities or support services in environments that are often perceived as misogynistic and unsafe for LGBTI people in general and therefore particularly difficult for non-heterosexual women, who might feel unsafe for multiple reasons.

Workshops aiming to train police officers in connection with the LGBT community were organised in seven big cities of Serbia by **Counselling for Lesbians**. However, the lack of human and financial resources led to restricting the training to Belgrade and Novi Sad only. Clearly, this would have a negative impact on access to institutional protection and decent support from state service for those lesbians situated in more rural areas or medium/small-sized cities. In Bulgaria, the organisation **Bilitis Foundation** also engages in training for police officers on anti-LGBTI hate crimes. The organization reported to EL\*C that lesbian relationships and identities are often derided by officers as funny or exotic, rather than as valid identities. As an inevitable result of such prejudice, there is a tendency to downplay violent lesbophobic attacks. Similar issues in reporting hate crime to the police were experienced by **Labris** in Hungary and by **Queer Sisterhood Cluj** in Romania, who reported that at least half of the women of the LGBTI community in contact with them had been victims of violence, but not one had felt safe enough to report those crimes to the police because of the perceived risk of secondary victimization.

In Italy, the lesbian NGO **Lesbiche Bologna** that organises a helpline to assist victims of lesbophobia and survivors of intimate partner violence reported to EL\*C that support services for victims are not always able to appropriately accompany lesbian victims of violence. Here too, they observed a tendency to downplay the relevance of the victim's sexual orientation where the service was specialized in the assistance of women victims of gender-based violence, and conversely to downplay the role of misogyny in the violence where the service was specialized in assisting LGBTI people.

This feeling of mistrust in police and public institutions is even more prevalent among lesbians who embody additional social identities subject to bias and stigma in society. Lesbians who seek asylum or are refugees or lesbians of colour or those belonging to an ethnic or religious minority face additional forms of institutional prejudice that amplifies their lack of trust in public services. In Spain, the organisation **Grupo Lesbico Feminista Artemisa, Refugiada y Migrante** reported to EL\*C the case of a lesbian couple attacked in a Red Cross reception facility by other residents because of their sexual orientation. The employee to which the couple reported the incident failed to address the problem directly and instead suggested that the couple should have avoided coming out to the other residents. In general, lesbian activists report that even in countries where there is broad social acceptance of LGBTI people such as Spain, a specific model of heterosexual womenhood is imposed on female refugee and asylum seekers[56]. Add to this the difficulty presented by language barriers and an unknown system, and it becomes clear why women from these groups find it particularly challenging to find and access appropriate services.

# 08. RECOMMENDATIONS

## PREVENTION OF LESBOPHOBIA

- 1. Explicitly identify lesbophobia as violence at the intersection of homophobia and misogyny and recognize that it is a type of violence with its own roots, patterns, modes, and consequences formed by this intersectional experience;
- 2. Ensure that all incidents of gender-based violence and domestic violence against lesbians are properly and effectively recorded, that disaggregated statistics on hate crimes, hate speech and discrimination are collected, analysed, and disseminated, and that specific studies and research on this phenomenon are funded;
- 3. Organise public campaigns, in collaboration with lesbian organisations, designed to counter violence experienced by lesbians in public spaces, in the family and online, and to encourage them to report such incidents to law enforcement and/or dedicated associations;
- 4. Encourage the private sector, especially online platforms, to ensure that the word 'lesbian' is not automatically associated with derogatory or hypersexualized and harmful content, especially in the design of measures intended to reduce illegal and harmful gender-related online content;
- 5. Encourage the media to review its approach to lesbophobic gender-based violence and hate crime, ensuring that lesbian identities of the victims are not erased when relevant to the motive of the crime and pay particular attention to the vocabulary used, the treatment of information and limit the appeal of sensationalism;
- 6. Ensure adequate, accessible, and reliable funding for projects and activities implemented by organisations focused on and led by lesbians, including smaller structures, and that are designed to counter lesbophobic rhetoric and narrative, to provide training to law enforcement and judicial authorities, as well as to ensure assistance and support for the victims of this violence.

# ADEQUATE ACCESS TO JUSTICE

- 1. Ensure that hate bias based on sexual orientation, gender identity, and gender expression are considered as aggravating circumstances in legislation aimed at criminalising gender-based violence, hate crime and hate speech;
- 2. Consider, in legislation concerning sexual violence, the increased risk to lesbians of sexual violence in all spaces of life, including sexual harassment, rape and physical violence to punish or 'correct' lesbians and women perceived as non-heterosexual;
- 3. Address, in legislation concerning domestic and intra-family violence, the higher risk for young lesbian of those forms of violence and ensure that service responses and victim support is adapted to these specific cases;
- 4. Include, in legislation concerning intimate partner violence, same-sex couples in the legal definition of 'family' and 'partner' regardless of the legal recognition of the relationship by family law;
- 5. Include, in the training of relevant professionals, notably law enforcement, judges and prosecutors, sensitization on the specific needs and challenges faced by lesbians that are victims of hate crime, gender-based violence and domestic violence.

# SUPPORT TO VICTIMS OF LESBOPHOBIC VIOLENCE

- 1. Design and implement measures to protect the rights of victims of violence without discrimination on the basis, among others, of sexual orientation, gender identity and gender expression;
- 2. Ensure that the training of relevant professionals, notably social services responsible for assisting victims of crime, include sensitization on the specific needs and challenges faced by lesbians that are victims of hate crime, gender-based violence and domestic violence;
- 3. Adapt the psychological support and training of healthcare professionals and structures to the realities and difficulties experienced by lesbians and facilitate the reporting process of structures and health professionals who have demonstrated lesbophobic behaviour;

- 4. Strengthen and adapt economic, social, and psychological supports to the fact that lesbians occupy a de facto intersectional position sometimes associated with other oppressions of race, class, disability, etc. that may make their situations even more complex;
- 5. Ensure that access to support and healing structures is available to all lesbians, regardless of geographic location or socio-economic position.

# FOOTNOTES

- [1] From their answers and the meetings organised with them, EL\*C was able to draft two policy papers and participate in the consultations organised by the European Commission on hate crime and gender-based violence in the EU as well as in feeding the advocacy work of EL\*C with bodies such as the UN Independent Expert of sexual orientation and gender identity and the European Commission on Racism and Intolerance (ECRI) at the Council of Europe. In June 2021, the two policy papers were submitted to the broader EL\*C Lesbian Movement Committee, an internal EL\*C body representing more than 40 organisations in 31 countries, for discussions, feedback and improvements.
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